

Q. What is your name and business address?

A. Lanny R. Quackenbush
1111 Washington St SE
PO Box 47012
Olympia Wa 98504-7012

Q. Who is your current employer?

A. State of Washington
Department of Natural Resources
Forest Practices Division, Olympia Washington

Q. What is your current job title?

A. Assistant Division Manager - Operations

Q. What is your educational background?

A. Bachelor of Science Degree with Honors - Forest Management 1973
Oregon State University, Corvallis, Oregon

Q. What is your professional background?

A. DNR - Forest Practice Program Assistant Division Manager - Field Operations - 1997 -
Present: In charge of field operations - providing direction, expert advice, and rule
interpretation to region field personnel. Provide program oversight in all legal
proceedings related to forest practices. Direct and Supervise technical and professional

staff including those providing technical input on forest practices issues related to this proposal.

DNR - SE Region Assistant Region Manager - Resource Protection and Services - 1989 - 1997 - 8 years: Region assistant responsible for regulatory programs including fire, forest practices and surface mined land reclamation. This involved setting priorities, giving direction, and reviewing work of field staff in carrying out these regulatory programs throughout the region.

DNR - Service Forestry Program Manager -1984 -1989 -5 years: Responsible for statewide administration of the private landowner assistance programs and administration of related federal grant funded programs. This group of programs primarily focus on providing educational and technical assistance to landowners with small acreages of forest land, and include providing technical assistance for federal cost-share programs which partially reimburse landowners for activities which encourage forest growth or environmental protection.

DNR - Deer Park Unit Forester -Northeast Region -1980 -1984 - 4 years: Field forester responsible for all agency activities within geographic region including approximately 30,000 acres of state land. This included management of state timberlands, agricultural and commercial leases, acquisition and granting of rights of way, and regulatory actions related to fire control, forest practices, and surface mined land reclamation.

DNR - NE Region Management Forester - 1974 -1980 - 6 years: Forester on Region staff responsible for timber appraisals, contract preparation, granting rights of way, and financial transactions related to state timber sales throughout the region.

DNR - Olympic Region Forester 1 - 1973-1974 - 1 year: Entry level position preparing timber sales, administering contracts, appraising sales and preparing right of way grants.

Q. What is the subject matter of your testimony?

A. Application of Forest Practices Regulations to the Olympic Pipeline Proposal.

Q. Under what Statutes and Rules are Forest Practices Regulated?

A. Forest Practices Act - RCW 76.09, Forest Practices Rules - Chapter 222 WAC

Q. What is the purpose and intent of Forest Practices regulations?

A. Forest Practices Regulations are intended to afford protection to forest soils and public resources which are defined as water, fish and wildlife, and capital improvements of the state or its political subdivisions. The act is also intended to achieve compliance with all applicable requirements of federal and state law with respect to nonpoint sources of water pollution from forest practices. RCW 76.09.010

Q. What is DNR's regulatory jurisdiction in the area of Forest Practices?

A. DNR's regulatory jurisdiction includes any forest practice occurring on publicly or privately owned land within the state of Washington.

Q. Under the Statutory and Regulatory Scheme, What is a Forest Practice?

A. A forest practice is defined in law (RCW 76.09.020 (8)) as "...any activity conducted on

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Exhibit LRQ-T

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or directly pertaining to forested land and relating to growing, harvesting, or processing timber, including but not limited to: (a) Road and trail construction; (b) Harvesting, final and intermediate; . . .”

Q. Does the proposed pipeline route traverse forested areas? If so identify the specific pipeline segments which traverse forested areas.

A. The pipeline will traverse forested areas beginning in segment 3 and extending through approximately segment 29. While there are individual segments within this portion of the proposal which may not be forest land, areas currently in use as public utility rights of way are not considered converted to uses incompatible with timber growing by specific exemption (WAC 222-20-010 (4)), and roads are specifically regulated as part of forest practices (WAC 222-24). Segments 1-3 are considered to be converted to use incompatible with timber growing, and those portions east of segment 29 are primarily non-timbered.

Q. Does the proposal contemplate carrying out forest practices? If so, state the general nature of the forest practices contemplated and the relevant regulations.

A. The proposal lacks sufficient detail to determine precisely where actions meeting the definition of forest practices will occur. It is apparent that areas of new right of way will require harvesting of trees and construction of new access roads. In addition, dependent on precise location of the pipeline within existing power line, road, and trail rights of way, additional clearing, road construction, reconstruction and maintenance will be necessary. Any of these activities involving the harvest of trees, and the construction

and/or use of roads on forest land will constitute forest practices and will be under the regulatory purview of the Forest Practices Act (RCW 76.09) and regulations adopted by the Forest Practices Board (Chapter 222 WAC).

Q. Identify the impacts to the environment, by pipeline segment, that will result from the forest practices identified above.

A. The proposal lacks sufficient detail to accurately assess potential impacts to the environment by pipeline segment. Forest Practices technical experts (Susan Shaw, Nancy Sturhan, Todd Bohle, and Ronn Schuttie) will address concerns with the proposal as it relates to specific forest practices standards. EFSEC will need to obtain final detailed plans of the actual pipeline location including all roads to be used to access the construction. These plans should be reviewed for adherence to Forest Practices standards during construction and provisions made for ongoing maintenance of roads to be used during operation of the pipeline. This will allay the concerns associated with those portions of the project which will constitute forest practices.

I certify and declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct to the best of my knowledge and belief.

Signed at _____, Washington on this _____ day of February, 1999.

Lanny Quackenbush

